

REPORT OF THE AUDITOR OF PUBLIC ACCOUNTS AUDIT EXAMINATION OF THE JEFFERSON COUNTY CLERK

Calendar Year 2001

EDWARD B. HATCHETT, JR. AUDITOR OF PUBLIC ACCOUNTS WWW.KYAUDITOR.NET

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EXECUTIVE SUMMARY

AUDIT EXAMINATION OF THE JEFFERSON COUNTY CLERK

Calendar Year 2001

The Auditor of Public Accounts has completed the Jefferson County Clerk's audit for calendar year 2001. We have issued an unqualified opinion on the financial statements taken as a whole. Based upon the audit work performed, the financial statements are presented fairly in all material respects.

Financial Condition:

Fee account balances increased by \$829,258 from the prior calendar year, resulting in a cash surplus of \$2,248,147 as of December 31, 2001. Revenues increased by \$1,063,045 from the prior year and disbursements increased by \$233,787.

Lease Obligations:

The clerk's office is responsible for the following leases:

Item	M	onthly	Term of	Ending	Princi	ipal Balance
Purchased	Pa	yments	Agreements	Dates	Decen	nber 31, 2001
Copy Machine	\$	157	36 Months	7/7/2003	\$	3,140
Copy Machine	\$	178	36 Months	5/12/2003		3,382
Copy Machine	\$	37	36 Months	1/22/2004		888
Copy Machines (17)	\$	3,020	48 Months	1/26/2003		39,257
Copy Machines (12)	\$	2,970	48 Months	10/6/2002		29,702
Copy Machine	\$	236	48 Months	6/21/2004		7,316
Postage Meter	\$	175	72 Months	5/30/2006		9,975
Postage Meter	\$	649	48 Months	3/30/2004		19,455
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Total					<u> </u>	113,115

Deposits:

The County Clerk's deposits were insured and collateralized by bank securities.

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EDWARD B. HATCHETT, JR. AUDITOR OF PUBLIC ACCOUNTS

To the People of Kentucky
Honorable Paul E. Patton, Governor
T. Kevin Flanery, Secretary
Finance and Administration Cabinet
Dana Mayton, Secretary, Revenue Cabinet
Honorable Rebecca Jackson, County Judge/Executive
Honorable Bobbie Holsclaw, Jefferson County Clerk
Members of the Jefferson County Fiscal Court

Independent Auditor's Report

We have audited the accompanying statement of receipts and disbursements of the County Clerk of Jefferson County, Kentucky, and the statement of receipts, disbursements, and fund balances of the County Clerk's operating fund and county fund with the State Treasurer for the year ended December 31, 2001. These financial statements are the responsibility of the County Clerk. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for County Fee Officials issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, the County Clerk prepared the financial statements on a prescribed basis of accounting that demonstrates compliance with the modified cash basis and laws of Kentucky, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the receipts and disbursements of the County Clerk and the receipts, disbursements, and fund balances of the County Clerk's operating fund and county fund with the State Treasurer for the year ended December 31, 2001, in conformity with the modified cash basis of accounting.

To the People of Kentucky
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T. Kevin Flanery, Secretary
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In accordance with <u>Government Auditing Standards</u>, we have also issued our report dated June 24, 2002, on our consideration of the County Clerk's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grants. That report is an integral part of an audit performed in accordance with <u>Government Auditing Standards</u> and should be read in conjunction with this report in considering the results of our audit.

Respectfully submitted,

Edward B. Hatchett, Jr. Auditor of Public Accounts

Audit fieldwork completed - June 24, 2002

JEFFERSON COUNTY BOBBIE HOLSCLAW, COUNTY CLERK STATEMENT OF RECEIPTS AND DISBURSEMENTS

Calendar Year 2001

<u>Receipts</u>

State Fees For Services		\$	294,938
Fiscal Court			133,821
Licenses and Taxes:			
Motor Vehicle-			
Licenses and Transfers \$	13,142,391		
Usage Tax	64,577,197		
Tangible Personal Property Tax	53,948,589		
Licenses-			
Marriage	210,603		
Beer and Liquor	388,001		
Beer and Liquor (Reimbursed)	1,417	*	
Shelter For Spouse Abuse	59,370		
Deed Transfer Tax	2,923,561		
Delinquent Taxes	7,428,600		
Delinquent Taxes (Reimbursed)	15,290	*	142,695,019
Fees Collected for Services:			
Recordings-			
Deeds, Easements, and Contracts \$	379,018		
Real Estate Mortgages	860,486		
Chattel Mortgages and Financing Statements	1,346,388		
Powers of Attorney	48,234		
Bail Bonds	6,316		
Tax Liens	140,594		
Extra Pages	1,096,103		
Assignments	154,788		
All Other Recordings	16,136		
Releases	528,461		
Probate	29,794		
Lienholder Penalties	33,419		
Corporation and Business	64,919	-	4,704,656

JEFFERSON COUNTY BOBBIE HOLSCLAW, COUNTY CLERK STATEMENT OF RECEIPTS AND DISBURSEMENTS Calendar Year 2001 (Continued)

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()ther	Receipts:
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	Candidate Filing Fees	\$ 6,000			
	Certified Copies	37,117			
	Interest Income	165,472			
	Legal Records - Clerk Expense	21,453			
	Legal Records - Clerk Expense (Reimbursed)	360,598	*		
	Phone/Fax	215	*		
	Notary	323,296	*		
	Postage	228,917	*		
	Tracing	2,992	*		
	Photostat	26,461	*		
	Motor Vehicle - Miscellaneous	152,839			
	Motor Vehicle - Miscellaneous (Reimbursed)	266	*		
	Returned Check Fees	14,358	*		
	Library	102			
	County Attorney Returned Check Fee	11,795			
	Miscellaneous	21,322			
	Miscellaneous (Reimbursed)	 11,602	*	\$ 1,384,8	805
		 ·	_	 	

Total Receipts \$ 149,213,239

9,693,075

Disbursements

Payments to State:

Licenses and Transfers	\$ 9,647,739	
Usage Tax	62,635,491	
Tangible Personal Property Tax	18,228,287	
Delinquent Tax	833,421	
Legal Process Tax	586,801	
Candidate Filing Fees	3,600	\$ 91,935,339

Payments to Fiscal Court:

Tangible Personal Property Tax	\$ 5,644,639
Delinquent Tax	884,010
Deed Transfer Tax	2,777,383
Beer and Liquor Licenses	387,043

JEFFERSON COUNTY BOBBIE HOLSCLAW, COUNTY CLERK STATEMENT OF RECEIPTS AND DISBURSEMENTS Calendar Year 2001 (Continued)

<u>Disbursements</u> (Continued)

Payments to Other Districts: Tangible Personal Property Tax Delinquent Tax	\$ 27,917,721 4,059,846	\$ 31,977,567	
Payments to Sheriff		59,011	
Payments to County Attorney: Delinquent Tax Returned Check Fees	\$ 1,026,462 11,795	1,038,257	
Payment to Library		102	
Operating Disbursements: Other Charges- Bankcard Processing		144,864	
Total Disbursements			\$ 134,848,215
Net Receipts			\$ 14,365,024
Payments to State Treasurer: 75% Operating Fund 25% County Fund		\$ 11,127,311 3,237,713	 14,365,024
Balance Due at Completion of Audit			\$ 0

^{*} Includes reimbursed expenses in the amount of \$1,414,171 for the audit period. See Note 1 of Notes to Financial Statements

JEFFERSON COUNTY BOBBIE HOLSCLAW, COUNTY CLERK STATEMENT OF RECEIPTS, DISBURSEMENTS, AND FUND BALANCES OF THE COUNTY CLERK'S OPERATING FUND AND COUNTY FUND WITH THE STATE TREASURER

Calendar Year 2001

	75% Operating Fund		25% County Fund		Totals	
Fund Balance - January 1, 2001	\$	1,418,889	\$	199,575	\$	1,618,464
Receipts						
Fees Paid to State - Operating Funds (75%) Fees Paid to State - County Funds (25%)		11,127,311		3,237,713		11,127,311 3,237,713
Total Funds Available	\$	12,546,200	\$	3,437,288	\$	15,983,488
<u>Disbursements</u>						
Jefferson County Government Officials Statutory Maximum Incentive Pay County Clerk's Expense Allowance Personal Services- Deputies' Salaries Overtime Employee Cash Out Employee Benefits- Employer's Share Social Security Employer's Paid Health Insurance	\$	83,931 2,189 3,600 6,717,886 79,664 28,833 481,463 465,910 860,678	\$	3,190,445	\$	3,190,445 83,931 2,189 3,600 6,717,886 79,664 28,833 481,463 465,910 860,678
Employee Assistance Program Unemployment Insurance Occupancy- Telephone Mileage and Gasoline - Delivery		7,995 26,573 70,203 16,347				7,995 26,573 70,203 16,347
Maintenance and Repairs Services- Personal Services Contract Security Services Janitorial		92,760 163,546 36,034 20,090				92,760 163,546 36,034 20,090

JEFFERSON COUNTY
BOBBIE HOLSCLAW, COUNTY CLERK
STATEMENT OF RECEIPTS, DISBURSEMENTS, AND FUND
BALANCES OF THE COUNTY CLERK'S OPERATING FUND
AND COUNTY FUND WITH THE STATE TREASURER
Calendar Year 2001
(Continued)

	75% Operating Fund			25% County Fund	Totals	
Disbursements (Continued)						
Services-(Continued)						
Pager Service	\$	2,218	\$		\$	2,218
Printing	Ψ	25,673	Ψ		Ψ	25,673
Advertising		11,728				11,728
Supplies-		,,				,
Postage		126,044				126,044
Office Expense		131,978				131,978
Leases-Equipment		110,929				110,929
Meetings		14,405				14,405
Seminars		2,433				2,433
Tuition		10,484				10,484
Other Operating-						
Insurance and Bonds		32,899				32,899
Notary Bonds		605				605
Memberships Dues		16,794				16,794
Subscriptions		10,932				10,932
Capital Outlay-						
Furniture and Fixtures		19,322				19,322
Remodeling and Renovations		23,179				23,179
Office Equipment		54,209				54,209
Computer Software		3,470				3,470
Computer Equipment		106,414				106,414
Vehicles		28,682				28,682
POS Project		407,953				407,953
	\$	10,298,053	\$	3,190,445	\$	13,488,498
Fund Balance - December 31, 2001	\$	2,248,147	\$	246,843	\$	2,494,990

JEFFERSON COUNTY BOBBIE HOLSCLAW, COUNTY CLERK NOTES TO THE FINANCIAL STATEMENTS

December 31, 2001

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

A fee official uses a fund to report on the results of operations. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

A fee official uses a fund for fees to account for activities for which the government desires periodic determination of the excess of receipts over disbursements to facilitate management control, accountability, and compliance with laws.

A fee official in counties with a population over 70,000 has two funds established with the state for the deposit of fees collected. Seventy-five percent (75%) of the fees collected is deposited in a County Clerk's operating fund and used for office expenses of the fee official. The remaining twenty-five percent (25%) of fees collected is deposited to the county fiscal court fund and periodically paid to the county government. These funds are closed at the end of each four-year term by paying the balances to the respective county government.

B. Basis of Accounting

The financial statements have been prepared on a modified cash basis of accounting, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America. Under this basis of accounting, certain receipts and certain expenditures are recognized as a result of accrual at December 31, 2001.

The Attorney General issued a letter which stated that some receipts of the fee official offices could be considered reimbursed expenses. All reimbursed expenses are receipted in the 75 percent fund.

C. Cash and Investments

At the direction of the fiscal court, KRS 66.480 authorizes the County Clerk's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

JEFFERSON COUNTY NOTES TO THE FINANCIAL STATEMENTS December 31, 2001 (Continued)

Note 2. Employee Retirement System

The county officials and employees have elected to participate in the County Employees Retirement System (CERS), pursuant to KRS 78.530 administered by the Board of Trustees of the Kentucky Retirement Systems. This is a multiple-employer public retirement system that covers all eligible full-time employees. Benefit contributions and provisions are established by statute. Nonhazardous covered employees are required to contribute 5.0 percent of their salary to the plan. The county's contribution rate for nonhazardous employees was 7.17 percent for the first six months and 6.41 percent for the last six months of the calendar year.

Benefits fully vest on reaching five years of service for nonhazardous employees. Aspects of benefits for nonhazardous employees include retirement after 27 years of service or age 65. Aspects of benefits for hazardous employees include retirement after 20 years of service or age 55.

Historical trend information pertaining to CERS' progress in accumulating sufficient assets to pay benefits when due is present in the Kentucky Retirement System's annual financial report which is a matter of public record.

Note 3. Deposits

The County Clerk maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC). According to KRS 64.480(1)(d) and KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the County Clerk and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution. These requirements were met, and as of December 31, 2001, the County Clerk's deposits were fully insured or collateralized at a 100% level with collateral of either pledged securities held by the County Clerk's agent in the County Clerk's name, or provided a surety bond which named the County Clerk as beneficiary/obligee on the bond.

JEFFERSON COUNTY NOTES TO THE FINANCIAL STATEMENTS December 31, 2001 (Continued)

Note 4. Leases

Commitments to the following lease agreements as of December 31, 2001 are:

Item Purchased	lonthly yments	Term of Agreements	Ending Dates	ipal Balance aber 31, 2001
Copy Machine	\$ 157	36 Months	7/7/2003	\$ 3,140
Copy Machine	\$ 178	36 Months	5/12/2003	3,382
Copy Machine	\$ 37	36 Months	1/22/2004	888
Copy Machines (17)	\$ 3,020	48 Months	1/26/2003	39,257
Copy Machines (12)	\$ 2,970	48 Months	10/6/2002	29,702
Copy Machine	\$ 236	48 Months	6/21/2004	7,316
Postage Meter	\$ 175	72 Months	5/30/2006	9,975
Postage Meter	\$ 649	48 Months	3/30/2004	 19,455
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Total				\$ 113,115

Note 5. Grants

The County Clerk received two local records microfilming grants from the Kentucky Department of Libraries and Archives in the amount of \$15,227 and \$17,609 respectively. No funds were expended during calendar 2001.

Note 6. Going Out of Business

This account is used for companies who must post a bond when they have a going out of business sale. After the sale the bond may be released to the company. The account had receipts of \$4,656 and disbursement of \$1,000 for calendar 2001. The account had a balance of \$23,899 as of December 31, 2001.

Note 7. Bankruptcy Account

This account is used for bankruptcy payments from the Chapter 13 Bankruptcy Trustee. The payments from the trustee are for tangible property tax due the state or clerk or for delinquent property tax owed. The account had receipts of \$2,189 for calendar year 2001. The account had a balance of \$77,136 as of December 31, 2001.

REPORT ON COMPLIANCE AND ON INTERNAL CONTROL OVER FINANCIAL REPORTING BASED ON AN AUDIT OF THE FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS



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Report On Compliance And On Internal Control Over Financial Reporting Based On An Audit Of The Financial Statements Performed In Accordance With Government Auditing Standards

We have audited the financial statements of the Jefferson County Clerk for the year ended December 31, 2001, and have issued our report thereon dated June 24, 2002. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in <u>Government Auditing Standards</u> issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether the Jefferson County Clerk's financial statements as of December 31, 2001, are free of material misstatement, we performed tests of compliance with certain provisions of laws, regulations, contracts, and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under <u>Government Auditing Standards</u>.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Jefferson County Clerk's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide assurance on the internal control over financial reporting.

Report On Compliance And On Internal Control Over Financial Reporting Based On An Audit Of The Financial Statements Performed In Accordance With Government Auditing Standards (Continued)

Internal Control Over Financial Reporting (Continued)

Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses.

This report is intended solely for the information and use of management and is not intended to be and should not be used by anyone other than the specified party.

Respectfully submitted,

Edward B. Hatchett, Jr. Auditor of Public Accounts

Audit fieldwork completed - June 24, 2002